

Judicial Assignment: Hon. Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MAPLE LEAF HOUSING
INVESTMENTS, LLC, a Washington
company,

Plaintiff,

vs.

TEXACO DOWNSTREAM PROPERTIES
Inc., a Delaware corporation,

Defendant.

Case No. 2:18-cv-01710-RSL

**STIPULATED MOTION AND
~~PROPOSED~~ ORDER EXTENDING
TIME FOR RESPONSIVE
PLEADING**

Note on calendar: March 1, 2019

Pursuant to the order entered by this Court on the stipulation between Plaintiff MAPLE LEAF HOUSING, INVESTMENTS, LLC's ("Plaintiff") and Defendant TEXACO DOWNSTREAM PROPERTIES INC. ("Defendant"), Defendant's responsive pleading is due March 1, 2019. *See*, Dkt. # 24. Plaintiff and Defendant now jointly move under FRCP 6(b) for further a 21-day extension of Defendant's deadline to file a responsive pleading to March 22, 2019. There is good cause for granting an extension because Plaintiff and Defendant have reached agreement, in principal, to resolve issues raised in Defendant's November 30, 2018, meet and confer correspondence ("Meet and Confer Correspondence") such that there will be no need for a motion to dismiss certain claims. Additionally, the parties have further agreed, subject

1 to the Court's approval, to stay for 120 days all litigation deadlines and activities while an
2 environmental investigation is jointly undertaken at Plaintiff's property. Based on the
3 foregoing, Plaintiff drafted and circulated (1) an agreement that, among other things,
4 resolves issues raised in the Meet and Confer Correspondence and allows the parties to
5 undertake the environmental investigation of Plaintiff's property (the "Agreement"), and
6 (2) a stipulated order staying all litigation deadlines and activities for 120 days while the
7 environmental investigation is undertaken and that also proposes new case management
8 deadlines upon the expiration of the 120 day stay period (the "Stay"). Defendant recently
9 provided its comments and revisions on the Agreement and Stay to Plaintiff. The parties
10 have not yet finalized these documents.

11 The parties jointly request an further 21-day extension of Defendant's
12 deadline to file a responsive pleading to allow the parties to: (1) finalize the Agreement,
13 and (2) finalize and present to this Court the Stay.

14 Pursuant to FRCP Rule 6(b), the Court may, for good cause, extend the
15 time for Defendant to respond to Plaintiff's Complaint.

16 Based on the foregoing, Plaintiff and Defendant jointly request that the
17 Court issue an order extending the deadlines for Defendant's responsive pleading twenty-
18 one days to March 22, 2019.

19 IT IS SO STIPULATED THROUGH COUNSEL OF RECORD
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1 Dated: March 1, 2019, 2019

ROGERS JOSEPH O'DONNELL, PC

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3 By: /s/ Robert C. Goodman

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10 Dated: March 1, 2019

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19 I attest that concurrence in the filing of this document has been obtained
20 from David F. Stearns, counsel for Maple Leaf Housing Investments, LLC.
21

22 Dated: March 1, 2019 ROGERS JOSEPH O'DONNELL

23
24 By: /s/ Robert C. Goodman
25 ROBERT C. GOODMAN
26 Attorneys for Defendant
27

28 STIPULATION RE: ADDITIONAL TIME TO
FILE RESPONSIVE PLEADING
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PROPOSED ORDER

The deadlines in this case are hereby extended as follows:

Defendant's responsive pleading shall be filed no later than March 22,
2019.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 4, 2019 By MKS Lasnik
HONORABLE ROBERT S. LASNIK
U.S. DISTRICT COURT JUDGE